



## DEPARTMENT OF HEALTH

Larry Hogan, Governor · Boyd K. Rutherford, Lt. Governor · Dennis R. Schrader, Secretary

October 29, 2021

Dear Pool Stakeholder:

Pursuant to COMAR 10.17.01.21, "Barriers", pool owners and operators are required to ensure adequate protection is provided to prevent young children from entering into a pool enclosure, falling into the pool or spa, and possibly injuring themselves or drowning. This letter supplements our previous May and June 2018 and September 2020 correspondence on this subject, which can be found online at: <https://phpa.health.maryland.gov/OEHFP/CHS/Pages/AquaticFacility.aspx>.

The September 2020 update extended the compliance date for COMAR 10.17.01.21 until November 1, 2021, except COMAR 10.17.01.21(A)(10)(b) and (e) which were extended until May 27, 2022. We thank the pool owners and operators who have made the changes necessary to protect our state's children and visitors from harm. We encourage pool and spa owners who are not compliant to make the necessary changes as soon as possible. The Department remains committed to working with the pool community to ensure that children are protected from injury and drowning through the use of barriers.

The Department is in the process of submitting for publication in the Maryland Register a proposal to amend COMAR 10.17.01.21. Thank you to the many stakeholders who worked on this proposal and offered their feedback. A draft of this proposal can be found online at: <https://phpa.health.maryland.gov/OEHFP/CHS/Pages/AquaticFacility.aspx>.

In light of this pending proposal, **I hereby extend the compliance date for COMAR 10.17.01.21 until October 1, 2022 or unless superseded by other MDH action, such as the promulgation of final regulations.** Pools that have barriers that will not be in compliance after October 1, 2022 may request a compliance schedule for their facility from their local health department. MDH recognizes the challenges faced in becoming compliant with these regulations due to business closures and ongoing uncertainty in the national state of the economy.

If you have any questions or require more information, please do not hesitate to reach out to Webster Ye, Assistant Secretary of Health Policy at [webster.ye@maryland.gov](mailto:webster.ye@maryland.gov) or Dr. Clifford Mitchell, Director of the Environmental Health Bureau at (410) 767-7438 or [cliff.mitchell@maryland.gov](mailto:cliff.mitchell@maryland.gov).

Sincerely,

Dennis R. Schrader  
Secretary